

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2475

IN THE MATTER OF:

Served September 27, 1983

Application of JAMES M. SMITH, )  
INC., for Special Authorization to )  
Perform Charter Operations )  
Pursuant to Contract — DOE )

Case No. CP-83-13

By application filed September 13, 1983, James M. Smith, Inc., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1, transporting United States Department of Energy employees and other persons travelling on official business for DOE, in 21-passenger buses, between the Forrestal Building, Washington, D. C., and DOE facilities near Germantown, Md.

Order No. 2469, served September 14, 1983, generally describes the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication and projected operating statement. Applicant complied with these requirements and no protests to the application were received by the Commission within the time set therefor.

Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of employees and other persons travelling on official business pursuant to a contract with the employer, this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 2469, that applicant is fit, willing and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder.

A certificate of insurance is already on file. James M. Smith, Inc., is directed to identify its vehicles in accordance with Commission Regulation No. 70-10 and is further directed to file an affidavit of compliance with that regulation within 10-days from the date of service of this order. Within the 10-day time period, applicant must also file two copies of its WMATC Tariff No. 1 in accordance with Commission Regulation No. 55-04 including a cover sheet and the executed contract with DOE. Applicant must also file within 10-days four copies of its equipment list and evidence that the vehicles thereon have been appropriately licensed and inspected. Upon the filing of the affidavit of the required materials, an appropriate authorization will be issued.

IT IS SO ORDERED.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director